IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 1ST FEBRUARY 2007 / 12TH MAGHA 1928

Bail Appl..No. 525 of 2007()

CRIME NO. 23 OF 2007 OF BALARAMAPURAM POLICE STATION

ACCUSED (A1 TO A5)

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1. RAJAN, PRESIDENT,
   PANNAVILA POLYSTER HANDLOOM WEAVERS
   CO-OPERATIVE SOCIETY, T.595, PUNNAVILA

2. SHIBU, RESIDING AT
   PANAYARAKAUNNU

3. SHAJI, S/O.KARUNAKARAN
   SHAJI BHAVAN, PAYATTUVILA,
   KOTTUKAL DESOM, KOTTUKAL VILLAGE

4. AJI, S/O. RAJAN,
   RESIDING AT PAYATTUVILA,
   KOTTUKKAL DESOM, KOTTUKAL VILLAGE

5. BIJU, RESIDING AT
   PAYATTUVILA,
   KOTTUKAL DESOM,
   KOTTUKAL VILLAGE

BY ADV. SRI.R.T.PRADEEP

RESPONDENTS:

THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 525 of 2007

DATED: Ist February, 2007

O R D E R

Petitioners who are accused Nos. 1 to 5 in Crime No. 23/07 of Balaramapuram Police Station for offences punishable under Sections 143, 147, 148, 149, 324 & 326 I.P.C. and subsequently registered for an offence under Sec. 308 also (originally registered as Crime No. 413 of 2006 of Vizhinjam Police Station and transferred to Balaramapuram Police Station), seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The occurrence took place on 9-12-2006 during the course of which the de facto complainant and another were assaulted with deadly weapons like iron rod, chopper and stick etc. The de facto complainant has sustained fracture also besides other injuries.

4. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioners should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate concerned and file an application for regular bail within 10 days from today, the same shall be considered and disposed of preferably on the same date on which it is filed.

With the above observation this application is dismissed.

V.RAMKUMAR, JUDGE.

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